



October 22, 2001

MEMORANDUM FOR HEADS OF SERVICES AND STAFF OFFICES
REGIONAL ADMINISTRATORS

FROM: *for* RAYMOND J. McKENNA *Ray McKenna*
GENERAL COUNSEL (L)

SUBJECT: Memorandum from Attorney General Ashcroft
Freedom of Information Act

I attach a copy of a memorandum from Attorney General John Ashcroft concerning the Freedom of Information Act (FOIA). Please disseminate the memorandum to any associate in your organization whose duties might include determinations whether to disclose or withhold agency records pursuant to requests under the FOIA.

In his memorandum, Attorney General Ashcroft emphasizes the importance of a well-informed citizenry to ensure that our nation's leaders are accountable to the American people. At the same time, the Attorney General recognizes the importance of protecting our society's fundamental values, which include safeguarding national security, enhancing effectiveness of law enforcement agencies, protecting sensitive business information, and preserving personal privacy.

All agencies are asked to give careful consideration to protection of these values when making determinations to disclose or deny access to agency records. The Attorney General has assured agencies that the Department of Justice will defend determinations to withhold access to agency records unless the decisions lack a sound legal basis, or present an unwarranted risk of adverse impact on the ability of other agencies to protect important records.

Questions concerning the Attorney General's memorandum may be directed to your servicing Office of General Counsel or Office of Regional Counsel.

Attachment

CC: Stephen A. Perry
Thurman M. Davis, Sr
Regional Counsels